IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

-

WRIT PETITION NO : 21699 of 2004

Between:

C.Pradeep Reddy S/o.C.Bhoopal Reddy
Goutham Nagar, H.No.8-88,
Dilsukhnagar, Hyderabad.

..... PETITIONER

AND

1. The Mandal Revenue Officer
Maheswaram Mandal, Ranga Reddy Dist.

2. Village Panchayat Secretary, Maheswaram Mandal, Village Akanpally,

R.R.District.

R2 is impleaded as per Court orders dated 3-12-2004 in WPMP 28900/2004

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the inaction of the respondent in not issuing pahanies in Sy.No.108/1, situated at Akanpally(V), Maheswaram (M), R.R. District to the petitioner herein is arbitrary, illegal in violation of Article 14 of the Constitution of India, and to issue consequential direction to the respondent to issue pahani to the petitioner herein.

Counsel for the Petitioner: A.YADAGIRI REDDY

Counsel for the Respondent.: GP FOR REVENUE

The Court made the following :

ORAL ORDER:

Petitioner, who is owner of the land in an extent of Ac.2.00 in S.No.108/1 of Akanpally village, Maheshwaram Mandal, R.R. District, filed this writ petition assailing the inaction of the respondent in issuing pahanies in his favour in respect of the said land.

Petitioner states that due to the delay in getting the pattadar passbook, his name was not shown in the pahani records. He further states that with intent to raise loans from financial institutions to develop his land, he made written representations to the respondent on 12.12.2002 and 13.4.2004 for issuance of the pahanies in his favour, in spite of which, the respondent did not issue pahanies in his favour in respect of the said land.

Learned counsel for the petitioner submitted across the bar that he has confined his request for issuance of pahanies in respect of the said land for the years 2002 onwards.

On the other hand, learned Government Pleader, on instructions, submitted that, the Government, in order to strengthen the local bodies and to reduce pressure at Mandal level, has issued G.O Ms. No. 369, PR & RD (Mdl. II) Department, dated 12.12.2001, authorising the Panchayat Secretaries to issue certain certificates, which includes pahanies and therefore, the Panchayat Secretary of the said village is competent to issue the said certificate.

Having regard to the submissions made above, the petitioner is directed to approach the Panchayat Secretary of Akanpally village and make a written representation for issuance of the pahanies in his favour in respect of the said land, and on any such representation being made, the Panchayat Secretary concerned shall consider the case of the petitioner and pass appropriate orders, in accordance with law.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

Kvsn 03-12-2004

To

The Mandal Revenue Officer
Maheswaram Mandal, Ranga Reddy Dist.

Two CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT)

Two C D copies.